

A Message from  
ILLINOIS ATTORNEY GENERAL  
**LISA MADIGAN**



Every year, the State of Illinois spends billions of dollars on publicly funded construction projects throughout the state. The Illinois Prevailing Wage Act ensures that construction workers on these projects, whether they are union members or not, receive fair wages and benefits for the work they perform.

Unfortunately, some employers attempt to get around state and federal prevailing wage laws to increase their profits at the expense of workers, their families, and the local economy. It is my job as Attorney General to enforce the Illinois Prevailing Wage Act to ensure fair treatment for all working men and women.

It is very important to know your rights when working on publicly funded projects. The information in this brochure is intended to help working men and women and prevent them from being deceived, coerced, or intimidated out of the wages and benefits they deserve.

Very truly yours,

Lisa Madigan  
Illinois Attorney General

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# PREVAILING WAGE ACT

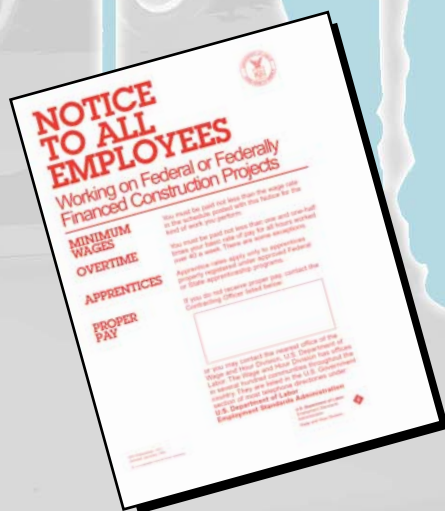
## Know Your Rights

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**T**he Illinois Prevailing Wage Act requires that construction workers on publicly funded projects earn fair wages and benefits based on the “prevailing wage” for similar work performed in that area. The prevailing wage rate is determined by the Illinois Department of Labor based on a wage survey of the area.

## **Employers are required by law to post prevailing wage rates at job sites.**

**T**he Office of the Attorney General works closely with the Department of Labor to enforce the Prevailing Wage. A similar law, the Davis-Bacon Act, applies to federal public works projects in excess of \$2,000.



## **Who is protected by prevailing wage laws?**

Both state and federal prevailing wage protections are extended to any laborer, mechanic, or other worker employed on a public works project.

## **What are the most common prevailing wage violations?**

Some of the most common ways contractors and subcontractors intentionally violate prevailing wage laws are:

- Classifying an employee incorrectly in order to pay a lower wage
- Forcing employees to work more hours than are reported
- Forcing employees to work on private work for a lower wage while they are also employed on a public works project at the correct prevailing wage to lower the overall cost of labor
- Forcing employees to bank hours

## **Know Your Rights**

Even if you are not a union member, you are entitled to rights under Illinois and U.S. labor laws, including the Illinois Prevailing Wage Act.

Prevailing wage is based on the type of work you perform. It is important that you are classified correctly by your employer. If you perform work that falls under a different classification, you may be entitled to a higher prevailing wage and fringe benefits.

If you believe you were not paid the proper prevailing wage for work you performed, you should file a complaint with the Illinois Department of Labor. You may not be punished by your employer for filing a report or offering other evidence of a prevailing wage violation. If the Department of Labor's investigators identify a violation, they will refer the case to the Office of the Attorney General for enforcement.

For more information, contact the Department of Labor's Wage and Hour Division at 1-866-4-USWAGE (1-866-487-9243); TTY: 1-877-889-5627.